

Wetlands Bureau Decision Report

Decisions Taken
10/11/2004 to 10/17/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00052 DORN, JOHN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Dredge 49 cu yds from 1,347 sq ft of lakebed and fill 900 sq ft to construct 70 linear ft of breakwater, in a slight "L" configuration, with a 20 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier connected to a 6 ft x 50 ft piling supported wharf by a 4 ft x 33 ft walkway accessed by a 6 ft x 8 ft walkway, with a seasonal boatlift and canopy, on an average joint frontage of 190 ft on Tuftonboro Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. had concerns about entire project. Plus, applicant does not have enough frontage for breakwater requirement.

APPROVE PERMIT:

Dredge 49 cu yds from 1,347 sq ft of lakebed and fill 900 sq ft to construct 70 linear ft of breakwater, in a slight "L" configuration, with a 20 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier connected to a 6 ft x 50 ft piling supported wharf by a 4 ft x 33 ft walkway accessed by a 6 ft x 8 ft walkway, with a seasonal boatlift and canopy, on an average joint frontage of 190 ft on Tuftonboro Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited revised on September 17, 2004, as received by the Department on September 17, 2004.
2. This joint permit shall not be effective until it has been recorded on both lots with the county Registry of Deeds office by the Permittees. A copy of the registered permit shall be submitted from both parties to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent possible.
5. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. These shall be the only structures on both water frontages. No additional docking structures will be permitted on either frontage.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No portion of the breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height (elevation 507.32) over the normal high water line (elevation 504.32).
10. The width as measured at the top of the breakwater (elevation 507.32) shall not exceed 3 feet.
11. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. A minimum clear spacing of 12 ft shall be maintained between the pilings.
16. All equipment and material access to the site shall be over water. There shall be no access over the bank for the purposes of construction.
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
18. Seasonal structures shall be removed for the non-boating season.
19. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
20. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicants have a combined average of 190 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 slips may be permitted on this overall frontage per Rule Wt 402.14, Frontage Over 75' because there are two separate lots, allowing 2 boat slips per lot.
5. The proposed docking facility will provide 4 slips as defined per Rule Wt 101.07, Boat slip, and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on October 7, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on October 7, 2004 found no obvious evidence of sand migration along this shoreline.
8. The proposed project provides the least adverse impact to the shoreline in accordance with Wt 302.03, Avoidance and Minimization, by proposing a joint docking structure for two separate properties.
9. The proposal provides the frontage with a joint docking structure in accordance with RSA 482-A:3,XII(d).

2004-00061 WATERVILLE CO INC, WILLIAM CANTLIN, PRES.
WATERVILLE VALLEY Unnamed Wetland

Requested Action:

Dredge and fill 5,045 square feet of perennial and intermittent stream channels and palustrine forested wetlands to provide access to a 31-Lot subdivision identified as Snow's Mountain Development and impact 2,873 square feet of perennial and intermittent stream channels and palustrine forested wetlands for clubhouse access, recreational paths and maintenance vehicle access. Temporarily impact 1,192 square feet of perennial and intermittent stream channels and palustrine forested wetlands for stormwater control installations and replace existing 30" culvert.

Conservation Commission/Staff Comments:

No comments submitted to the file from the Conservation Commission.

Inspection Date: 04/13/2004 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Dredge and fill 5,045 square feet of perennial and intermittent stream channels and palustrine forested wetlands to provide access to a 31-Lot subdivision identified as Snow's Mountain Development and impact 2,873 square feet of perennial and intermittent stream channels and palustrine forested wetlands for clubhouse access, recreational paths and maintenance vehicle access. Temporarily impact 1,192 square feet of perennial and intermittent stream channels and palustrine forested wetlands for stormwater control installations and replace existing 30" culvert.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated January 2004, revised March 8, 2004, and Wetland Impact Detail sheets dated March 2004, as received by the Department on April 9, 2004, and plan supplement details dated April 21, 2004, as received by the Department on April 26, 2004, and detention pond relocation and clubhouse access plan by Provan & Lorber, Inc. dated September 2004, as received by the Department on September 20, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Wetlands Bureau and the Site Specific Bureau for proposed stormwater management associated with the clubhouse and associated parking.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s)

responsible for performing the work.

6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly ripping rapped.
14. Repair of impact site "P" shall maintain existing size, location and configuration.
15. Areas of temporary disturbance shall be regraded to original contours following completion of work.
16. Wetland replication in areas of temporary disturbance, in accordance with project description dated March 10, 2004, as received by the Department on March 15, 2004, shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will impact 924 linear feet of perennial and 106 linear feet of intermittent stream channels and is, therefore, a major impact project per Administrative Rule Wt 303.02(i), alteration and/or disturbance of more than 200 linear feet of nontidal intermittent or perennial stream channels or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 13, 2004. Field inspection determined project design will have minimal impacts on the environment as proposed.
6. The requested amendments for clubhouse access and relocation of the detention basin are within the scope of the original project design and concept.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the stream channels and associated wetland ecosystems.

2004-00769

METHUEN CONST. NOM TRUDT, L. ROBERT DESCANTIS

SALEM Unnamed Wetland

Requested Action:

Fill approximately 373 square feet within two isolated forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development.

Conservation Commission/Staff Comments:

In a letter to the NHDES Wetlands Bureau dated June 3, 2004 the Salem Conservation Commission recommended the following actions: a) approve the request to fill 373 square feet of non-contiguous isolated wetlands in the northeast corner of the lot; b) disapprove of the request to move the boundary of Prime Wetland #17, as depicted on the plans; and 3) move the boundary of Prime Wetland #17 to the wetland boundary referenced as "EOW - Edge of Wet" on the plans.

Inspection Date: 08/05/2004 by Christian P Williams

Inspection Date: 07/15/2004 by Christian P Williams

APPROVE PERMIT:

Fill approximately 373 square feet within two isolated forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development.

With Conditions:

1. All work shall be in accordance with the following plans by TF Moran, Inc., as received by the Department on October 12, 2004:
 - a) The Site Layout Plan (Sheet 1 of 3) and the Site Grading Plan (Sheet 2 of 3) dated April 26, 2004 and revised October 11, 2004; and
 - b) The Details Sheet (Sheet 3 of 3) dated April 26, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Salem Conservation Commission of the date project construction is proposed to begin.
4. Work shall be conducted during low flow conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project is located adjacent to Salem Prime Wetland #17.
2. On April 29, 2004 the NHDES Wetlands Bureau received a Standard Dredge and Fill Application requesting approximately 373 square feet of fill in isolated, forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development. The application also requested modification of the boundary of Prime Wetland #17 on the property.
3. On June 4, 2004 the NHDES Wetlands Bureau received a report dated May 21, 2004 from Certified Wetland Scientist Michael Cuomo, representing the Town of Salem, stating that the boundary of Prime Wetland #17 on Lot 7767 (Salem Tax Map 115) should be adjusted to correspond to the wetland boundary.
4. On June 4, 2004 the NHDES Wetlands Bureau received a letter dated June 3, 2004 from the Salem Conservation Commission recommending the following actions: a) approval of the request to fill 373 square feet of non-contiguous isolated wetlands in the northeast corner of the lot; b) disapproval of the request to move the boundary of Prime Wetland #17, as depicted on plans submitted with the application; and c) relocation of the boundary of Prime Wetland #17 to the wetland boundary referenced as "E.O.W. - Edge of Wetlands" on the plans submitted with the application.
5. NHDES Wetlands Bureau staff conducted field inspections of the property on July 15, 2004 and August 25, 2004.

6. Based on observations made during the above-referenced field inspections, the Department, in a letter dated September 2, 2004, informed the applicant's authorized agent, Gove Environmental Services, Inc., that the boundary of Prime Wetland #17 is best represented by the wetland boundary depicted as "E.O.W. - Edge of Wetlands" on the Site Layout Plan by TF Moran, Inc, dated April 26, 2004.
7. On October 12, 2004 the NHDES Wetlands Bureau conducted a public hearing for the proposed project, in accordance with Rule Wt 703.03. No concerns or objections were raised during the hearing.
8. At the above-referenced public hearing, a revised Site Layout Plan (Sheet 1 of 3) and Site Grading Plan (Sheet 2 of 3) depicting the new boundary of Prime Wetland #17 was submitted to the Department.
9. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
12. The applicant has sufficiently addressed the criteria for approval, defined in Rule Wt 703.01(b), for projects located in or adjacent to designated prime wetlands.
13. Based on observations made during the above-referenced field inspections of the property and based on review of documentation and information submitted in support of the application, the Department finds that there is clear and convincing evidence that the proposal will result in no significant net loss of values to the prime wetlands, as set forth in RSA 482-A:1.

2004-02398 LONG SHORES LOT OWNERS ASSN, JACK ANDERSON
BARRINGTON Prime Wetlands

Requested Action:

All projects that are in or adjacent to a prime wetland are classified as major projects, and therefore may not use the PBN process.

PBN DISQUALIFIED:

All projects that are in or adjacent to a prime wetland are classified as major projects, and therefore may not use the PBN process.

MINOR IMPACT PROJECT

2000-01724 DORSI, JOHN
MEREDITH Lake Winnepesaukee

Requested Action:

Request to add counterweight to lift system for additional stability.

APPROVE AMENDMENT:

Amend permit to read: Install 2 steel pilings and suspend a 4 ft x 11.5 ft x 1.5 ft counter weight, beneath the deck surface, to support boatlift and dredge 3.5 cu yd of rock from lakebed adjacent to a 6 ft x 34 ft seasonal pier hinged to a 12 ft x 15 ft deck supported by an 8 ft x 8 ft crib on 89 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All rock removal shall be in accordance with plans submitted by Bianco Professional Association as received by the Department on July 6, 2001. The counterweight shall be installed in accordance with plans by Watermark Marine Construction dated September 6, 2003, as received by the Department on July 19, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. All portions of the 6 ft x 34 ft seasonal pier and boat lift, with the exception of the steel pilings, shall be removed from the lake for the non-boating season.
5. Rocks removed from the lake bed shall be placed out of areas within the jurisdiction of the DES Wetlands Bureau, or in the lake with at least 10 feet of water depth over the rocks, unless another use is specifically permitted.
6. Rocks shall not be stockpiled in jurisdiction.
7. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not constructed as previously permitted.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
11. The steel pilings shall be marked with reflective material to improve visibility during the non-boating season.
12. The seasonal pier will continue to be maintained at the originally permitted 34 ft length.

With the added condition:

13. No portion of the counterweight shall be located below Elev. 504.32.

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), modification of a 2-slip docking facility which is, in part, permanent.

2003-02522 TRAFFIE, ALVAN
NEW IPSWICH Souhegan River

Requested Action:

Fill approximately 17,071 square feet of palustrine forested wetlands to provide access to a 33-Lot residential subdivision. Preserve 7.84 acres in a conservation easement on proposed Lot 32, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.

Conservation Commission/Staff Comments:

Conservation Commission requested a hold on the application per RSA 482-A:11,III, on November 14, 2003.

Conservation Commission submitted comments on December 24, 2003, requesting alternative layouts for the subdivision road and consideration for cluster development potentially reducing impacts.

Souhegan River Local Advisory Committee (SRLAC) concerned about post-construction runoff and the ability of the onsite wetlands to handle storm events. SRLAC concurs with Conservation Commission for cluster subdivision concept.

Inspection Date: 12/23/2003 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Fill approximately 17,071 square feet of palustrine forested wetlands to provide access to a 33-Lot residential subdivision. Preserve 7.84 acres in a conservation easement on proposed Lot 32, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering, dated April 20, 2004, as received by the Department on April 30, 2004; and the Preliminary Wetland Mitigation Area plan by Burd Engineering, dated August 2, 2004, as received by the Department on August 11, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. Work shall be conducted during low flow.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Proper headwalls shall be installed.
12. Appropriate erosion/siltation/turbidity controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland preservation:

18. This permit is contingent upon the establishment of 7.84 acres of Common Land to serve as compensatory mitigation for project-related wetlands impacts, as depicted on the Preliminary Wetland Mitigation Area plan ("Wetland Mitigation Plan") by Burd Engineering, dated August 2, 2004, as received by the Department on August 11, 2004. Said Common Land shall consist of approximately 5.75 acres of jurisdictional wetlands and approximately 2.09 acres of contiguous upland buffer.
19. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
20. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
22. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
24. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
25. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Project, per Rule Wt 303.03(h).
2. Project activities are necessary to provide vehicular access to a 33 Lot residential subdivision.
3. The applicant will preserve 7.84 acres of Conservation Land, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.
4. The applicant has sufficiently demonstrated that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).
6. The applicant has adequately addressed the subdivision approval conditions described in Rule Wt 304.09(a).
7. DES Staff conducted a field inspection of the proposed project on December 23, 2003. Field inspection determined plans accurately depict site conditions.
8. The Department has determined alternate road layouts would have greater secondary impacts to the local ecology.
9. The Department has determined the proposed stormwater treatment designs will adequately maintain the pre-development flows offsite after development.

2003-02526 MAYO, EARNEY
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill 5,150 square feet of palustrine forested, emergent and open water habitat to provide access to a 13-Lot subdivision and include driveway access to 2 lots

Conservation Commission/Staff Comments:

Con Com requested a 40 day hold on November 10, 2003, to allow for additional review time.

On November 24, 2003, the Con Com requested additional clarification on driveway crossings B and C and potential for additional flowage off Lot 89-12 eastward to Lot 89-4 across the subdivision road.

Inspection Date: 01/20/2004 by Jeffrey D Blecharczyk

Inspection Date: 08/10/2004 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Dredge and fill 5,150 square feet of palustrine forested, emergent and open water habitat to provide access to a 13-Lot subdivision and include driveway access to 2 lots

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering; Subdivision, Plan & Profile and Erosion Control plans dated September 3, 2003, as received by the Department on January 7, 2004 and plan for Wetland impact "B" received November 5, 2003 and plans for Wetland impact "C" received January 26, 2004 and plans for Wetland impact "A" dated October 13, 2004, as received by the Department on October 13, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau.

8. Work shall be done during low flow.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

12. Proper headwalls shall be constructed within seven days of culvert installation.

13. Culvert outlets shall be properly rip rapped.

14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on January 20, 2004. Field inspection determined additional clarification for impacts required.

6. Agent submitted requested information that accurately depicts the site conditions as documented during the January 20th site inspection.

7. The Conservation Commission documented various surface water flows located on the subject parcel outside the delineated wetlands.

8. The Department has determined the noted surface water flows are results of the roadway cuts and previous gravel pit operations that have intercepted the ground water table.

9. The Department has determined these areas are not jurisdictional and handling of the surface water flows are addressed in the Site Specific permit application.

10. The water level fluctuations noted are a natural function of the beaver flowage. The applicant has no proposed impacts outside wetland impact "A" that would require additional examination of the beaver flowage areas.

11. The presence of an existing culvert crossing to proposed Lot 89-14 could not be determined during the January 20, 2004, site inspection. If it is determined a culvert exists and repairs are required the applicant shall submit plans to the Wetlands Bureau for review.

12. The project will have minimal impact on the environment and no adverse effects should occur if constructed as proposed.

13. The Department has determined 100 sq ft of additional impacts for site "A" will not adversely effect the environment.

**2003-02633 SANBORN FARM LLC, ANDREW
BELMONT Unnamed Stream**

Requested Action:

Approve applicant's request for reconsideration and denial of the Town of Belmont's request for reconsideration of original permit decision.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

Application dated 03/30/04 is an amended application for this file

APPROVE RECONSIDERATION:

Dredge and fill approximately 1500 square feet of two unnamed perennial streams including installation of two 56-inch x 81-inch x 30-foot culverts for access.

With Conditions:

1. All work shall be in accordance with plans by Howard Warren dated June 14, 2004, as received by the Department on June 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work a cofferdam shall be constructed to isolate the work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. The applicant has withdrawn their application to the Town of Belmont Planning Office for a lot line adjustment which would have provided an alternative access to the property from Rodges Road. This alternative access would have resulted in lesser wetland impacts.
3. This permit is being issued with the understanding that the alternative access from Rodges Road is not available.
4. These crossings are for access to a proposed logging operation and have been sized as such.

2004-00619 BOULARD, DONALD & DORIS
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Applicant requests amendment to include a seasonal boatlift.

Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE AMENDMENT:

Amend Permit to Read:

Permanently remove an existing 5 ft x 40 ft hinged seasonal dock and replace with a 6 ft x 50 ft hinged seasonal dock, install a 10 ft x 12 ft seasonal boatlift, and remove (2) rocks for navigation on an average of 124 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 6, 2004, as received by the Department on August 24, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. The seasonal pier and boatlift shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
10. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of less than 20 cu yd of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01267 SMYRL, ERIC
MANCHESTER Merrimack River

Requested Action:

Stabilize 90 linear feet of river bank of the Merrimack River using a combination of rip rap in area of scour(up to elevation 180') and vegetative stabilization. Total impact area 1,790 sq. ft.

Conservation Commission/Staff Comments:

Recommends approval.

Inspection Date: 07/14/2004 by Dori A Wiggin

Inspection Date: 09/13/2004 by Dori A Wiggin

APPROVE PERMIT:

Stabilize 90 linear feet of river bank of the Merrimack River using a combination of rip rap in area of scour (up to elevation 180') and vegetative stabilization. Total impact area 1,790 sq. ft.

With Conditions:

1. All work shall be in accordance with revised plans by HTE Northeast, Inc. dated September 28, 2004, as received by the Department on October 1, 2004.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any tree clearing shall be coordinated with NH Fish and Game Department to assure that there remains no impact to potential eagle winter roosting trees.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of of less than 200 linear feet of a perennial river or its banks that exceeds the criteria for minimum impact per Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted field inspections of the proposed project on 7/14/04 and on 9/13/04. Field inspection determined that the proposal could be modified to be less impacting by using the rip rap only in the area which shows clear evidence of scouring, and that the remainder of the slope could be stabilized with vegetation. The applicant revised the plan accordingly.
6. Inspection by NH Fish and Game Department Nongame and Endangered Wildlife Program on 9/7/04 determined that if the work is contained within several feet of the existing rip rap rubble, no mussel survey would be required for the brook floater mussel for this project.
7. The project does not propose to remove any trees, therefore has no anticipated impacts to bald eagle winter roost sites. Winter roost sites have been identified north of the project but not at the project site. If trees are to be removed the permit has been conditioned to require coordination with NH Fish and Game Department.
8. Review by DES of the applicant's proposal to expand the existing dwelling within the protected shoreland regulated under RSA 483-B, the Comprehensive Shoreland Protection Act ("CSPA"), finds that the expansion as proposed per plans received by DES on August 4, 2004 complies with the provisions of the Act. DES sent notification of compliance under separate cover to the applicant on 10/7/04.

2004-01657 MAROUSKI, ROBERT & MARY CLARK
LACONIA Lake Winnepesaukee

Requested Action:

Permanently remove an existing 7 ft 6 in x 38 ft 6 in crib/piling supported finger pier and 2 ft from an existing 4 ft 6 in x 30 ft piling supported finger pier, and install a 6 ft x 40 ft hinged pier extending from an existing 8 ft x 66 ft 7 in crib/concrete pier, with (2) 10 ft x 12 ft seasonal boatlifts on an average of 82 ft of frontage on Weirs Beach, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Permanently remove an existing 7 ft 6 in x 38 ft 6 in crib/piling supported finger pier and 2 ft from an existing 4 ft 6 in x 30 ft piling supported finger pier, and install a 6 ft x 40 ft hinged pier extending from an existing 8 ft x 66 ft 7 in crib/concrete pier, with (2) 10 ft x 12 ft seasonal boatlifts on an average of 82 ft of frontage on Weirs Beach, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated July 1, 2004, revised on October 1, 2004, as received by the Department on October 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal structures shall be removed for the non-boating season.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Work shall be done during low water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of a 4-slip docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has effectively satisfied Wt 402.22 by reducing the square footage of surface water impacts.

2004-01774 WELCH, FRANK & CONNIE
MADISON Unnamed Wetland

Requested Action:

Dredge and fill 2330 square feet of palustrine forested wetland including installation of a 36-inch x 70 foot culvert in an intermittent stream for access in the subdivision of 25.1 acres into 8 single family building lots.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 2330 square feet of palustrine forested wetland including installation of a 36-inch x 70 foot culvert in an intermittent stream for access in the subdivision of 25.1 acres into 8 single family building lots.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated July 21, 2004, as received by the Department on July 29, 2004 and Subdivision Plans by White Mountain Survey dated July 20, 2004, and revised through July 23, 2004 as received by the Department on July 28, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed roadway crossing is in the same location as the previously permitted driveway crossing (2000-00625).
6. DES waives condition #3 of the previous permit, 2000-00625, as the current proposal provides reasonable access to the proposed residential subdivision of upland lands.

2004-01918 NH DEPT OF TRANSPORTATION
NELSON Unnamed Stream

Requested Action:

Replace and widen bridge deck to 32 feet curb to curb, extend abutments, construct new wings, repair footing and place stone at each wing impacting 1,155 sq. ft. of (725 sq. ft. temporary).

APPROVE PERMIT:

Replace and widen bridge deck to 32 feet curb to curb, extend abutments, construct new wings, repair footing and place stone at each wing impacting 1,155 sq. ft. of (725 sq. ft. temporary). NHDOT project #M407.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 7/04, as received by the Department on August 17, 2004.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02053 RIDEOUT HOLDINGS, LLC, FRANCES HOLDEN
HOLLIS Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,980 sq. ft. to install three crossings with a 12" x 26' culvert; a 12" x 40' culvert; and twin 36" x 45' culverts for construction of a gravel road over an existing cart path to access farm field at the northeast area of property.

Conservation Commission/Staff Comments:
Inspected and recommends approval.

APPROVE PERMIT:

Dredge and fill a total of 4,980 sq. ft. to install three crossings with a 12" x 26' culvert; a 12" x 40' culvert; and twin 36" x 45' culverts for construction of a gravel road over an existing cart path to access farm field at the northeast area of property.

With Conditions:

1. All work shall be in accordance with plans by Cuoco and Cormier Engineering Associates Inc. dated 8/23/04, as received by the Department on 8/30/04.
2. Any change in use to a non-agricultural purpose or subdivision will require further permitting by the DES Wetlands Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of of less than 20,000 sq. ft. of non-tidal wetlands in the aggregatet which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The site of the proposed project was inspected by the chairman of the Hollis Conservation Commission, and at their June 23, 2004 the Conservation Commission found no immediate concerns with the project.
6. This project will allow access to an agricultural field which is to be leased to a local farmer.

MINIMUM IMPACT PROJECT

2003-01755 BALMORAL IMPROVEMENT ASSOC
MOULTONBOROUGH Moultonborough Bay

Requested Action:

Amend dredge area to dredge a total of 10125 sqft from 8 additional areas adjacent to boatslips.

Conservation Commission/Staff Comments:

Con Com has concerns about placement of dredge material and legal status of docks.

APPROVE AMENDMENT:

Maintenance dredge of 6,200 cubic yards of material from 1.7 acres along 1900 linear feet of man-made channel and dredge a total of 10125 sqft from 8 areas adjacent to boatslips in Middle Brook, Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by HTE Northeast Inc., dated June 9, 2003, as received by the Department on August 7, 2003 and boatslip areas as identified on letter recieved on October 6, 2004 and cross section plan recieved October 13, 2004.
2. This permit is contingent on approval by the DES Waste Management Division.

3. Work shall be done during low flow.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. No dredged materials containing exotic species such as Variable or Eurasian Milfoil may be deposited within 250 ft of any surface water.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Any structures in DES Wetlands jurisdiction removed to facilitate the dredge may be replaced in kind with no modifications without further permits from DES Wetlands Bureau.
9. This permit does not allow for the repair of docks, retaining walls or other structures without individual permits from the Wetlands Bureau.
10. This permit does not allow for any dredge outside of dredge limits as on approved plan.
11. At no time shall the channel be dewatered.
12. Any minor damage to adjacent shoreline structures as a result of the proposed dredge need separate permitting from the DES Wetlands Bureau for repairs.
13. The Applicant shall submit to DES Wetlands Bureau for approval, a final plan detailing the method of dredge and method of dredge spoils disposal at least 14 days prior to the beginning of work.
14. Discharge water from the approved sedimentation basin must have a turbidity value of not more than 10 NTU's above that of the receiving surface water.
15. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredge of a man-made channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project has been approved for grant assistance from the Watershed Assistance Grants Program and has been approved by the Governor and Council.
6. This project involves multiple properties along a single man-made channel. The "Applicant" is an association representative of the owners of the properties to be impacted.
7. Completion of this dredge as a single project will be less impacting than attempting multiple smaller dredge projects.

2004-00661 **SWAIN, MATTHEW/RACHEL**
SANBORTON **Unnamed Pond**

Requested Action:

Dredge 6400 square feet of poorly drained palustrine forested wetland for pond construction.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge 6400 square feet of poorly drained palustrine forested wetland for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service dated February 2003, as received by the Department on September 15, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during low water conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond with less than 20,000 square feet of wetlands impact, provided none of the wetlands have type A hydric soil as defined in Env-Ws 1014.02, and that there are no streams into or out of the proposed pond site, and the project is not located in prime wetlands and does not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00913 DONAHUE, MARK
SANDOWN Unnamed Wetland

Requested Action:

Request for permit amendment to dredge and fill approximately 250 square feet within the bed and banks of an intermittent stream to install two 18-inch by 18-foot culverts with headwalls to provide driveway access to a single family residential lot on approximately 16.8 acres.

Conservation Commission/Staff Comments:

The Sandown Conservation Commission DID NOT sign the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Dredge and fill approximately 250 square feet within the bed and banks of an intermittent stream to install two 18-inch by 18-foot culverts with headwalls to provide driveway access to a single family residential lot on approximately 16.8 acres.

With Conditions:

1. All work shall be in accordance with the Dredge and Fill Plan (Sheet 1 of 2) by James M. Lavelle Assoc. dated May 6, 2004, as received by the Department on October 7, 2004; and the Driveway Culvert Plan (Sheet 2 of 2) by Steven E. Cummings, P.E. dated June 10, 2004 and revised September 21, 2004, as received by the Department on October 7, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Work shall be done during no flow conditions.

6. Appropriate siltation/erosion/turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The culvert shall be laid at existing grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The proposed permit amendment is necessary to incorporate changes to the project design, including installation of two 18-inch x 18-foot culverts, as opposed to the originally authorized single 18-inch x 20-foot culvert.
2. Proposed project modifications will result in no change in wetlands and surface waters impacts.

2004-01085 COLBY-SAWYER COLLEGE
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,980 square feet of wet meadow to provide access and additional parking associated with Parking Lot "K".

APPROVE PERMIT:

Dredge and fill approximately 2,980 square feet of wet meadow to provide access and additional parking associated with Parking Lot "K".

With Conditions:

1. All work shall be in accordance with plans by Jesseman Associates, P.C. dated May 10, 2004, as received by the Department on May 28, 2004.
2. Work shall be done during low or non flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. On October 5, 2004, the applicant provided documentation stating the previous expansion associated with Lot "K" had no wetland impacts and was below 100,000 sq ft of alteration of uplands.

2004-02086 DORE, DOUGLAS
ALTON BAY Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft x 25 ft wharf, and install a 6 ft x 40 ft seasonal dock with an 8 ft x 12 ft seasonal boatlift and (2) seasonal jet ski lifts on an average of 106 ft of frontage on Alton Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not object to project.

No response on NHI hit.

APPROVE PERMIT:

Permanently remove an existing 6 ft x 25 ft wharf, and install a 6 ft x 40 ft seasonal dock with an 8 ft x 12 ft seasonal boatlift and (2) seasonal jet ski lifts on an average of 106 ft of frontage on Alton Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 12, 2004, as received by the Department on September 1, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal structures shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), installation of a 2-slip seasonal dock and seasonal lifts.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02148 PSNH, RICHARD LARSEN
LONDONDERRY Unnamed Wetland

Requested Action:

Install a 15" x 20' culvert through existing upland abandoned trolley bed berm to equalize drainage, and install beaver protection devices at pipe ends to alleviate flooding from beaver activities. Total work in jurisdiction 16 sq. ft.

APPROVE PERMIT:

Install a 15" x 20' culvert through existing upland abandoned trolley bed berm to equalize drainage, and install beaver protection devices at pipe ends to alleviate flooding from beaver activities. Total work in jurisdiction 16 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Public Service Company of NH dated 8/30/04, as received by the Department on 9/20/04.
2. Proper headwalls shall be constructed within seven days of culvert installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Dredged/excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02253 COOPER, WILLIAM
AUBURN Calef Lake

Requested Action:

PBN process shall only be used for a single family residential lot or for noncommercial, recreational uses.

PBN DISQUALIFIED:

PBN process shall only be used for a single family residential lot or for noncommercial, recreational uses.

2004-02281 HUGHES, PEGGY
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 6 ft x 30 ft piling pier in-kind, and install a 9 ft 6 in x 24 ft canopy and retain an existing 9 ft 6 in x 10 ft 7 in seasonal boatlift on an average of 100 ft of frontage on Minge Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. felt project did not warrant Expedited application and refused to sign.

APPROVE PERMIT:

Repair an existing 6 ft x 30 ft piling pier in-kind, and install a 9 ft 6 in x 24 ft canopy and retain an existing 9 ft 6 in x 10 ft 7 in seasonal boatlift on an average of 100 ft of frontage on Minge Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Peggy J. Hughes, as received by the Department on September 22, 2004.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Seasonal structures shall be removed from jurisdiction for the non-boating season.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

FORESTRY NOTIFICATION

2004-02371 CROWLEY, CHRISTOPHER
THORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Thornton Tax Map 9 & 10, Lot# 4 & 1

2004-02406 UNH, WOODLANDS OFFICE
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 8,237 & 241, Lot# 13, 1 & 3 & 3

EXPEDITED MINIMUM

2003-02159 BOURCIER, RONALD & BETHANY
SOUTH SUTTON Blaisdell Lake

Requested Action:
Construct a retaining wall along 30 linear ft of shoreline on Blaisdell Lake.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construct a retaining wall along 30 linear ft of shoreline on Blaisdell Lake.

With Findings:

1. A request for additional information dated October 21, 2003, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2004-00418 WITHAM, DAVID & SUSAN
BOSCAWEN Unnamed Wetland

Requested Action:

Approve name change to: Town of Boscawen, 116 North Main St., Concord NH 03303 per request received 10/12/2004.

Conservation Commission/Staff Comments:

Boscawen Conservation Commission signed the Minimum Impact Expedited application.

APPROVE NAME CHANGE:

Dredge and fill 875 square feet of palustrine forested wetland to update existing sanitary sewer system and separate storm water outfall from the sewer system.

With Conditions:

1. All work shall be in accordance with Plan Outfall (Sheet 16 of 21) by Underwood Engineers Inc. dated December 3003, as received by the Department on March 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Work shall be done during low flow.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-00967 DURGIN, MICHAEL & DIANE
WEARE Unnamed Stream

Requested Action:

Dredge and fill approximately 520 square feet of forested wetland (including 50 linear feet of impact to an intermittent stream) to install a 30-inch by 12-foot culvert for construction of a roadway for access to a 21-lot subdivision of approximately 53.9 acres.

Conservation Commission/Staff Comments:

The Weare Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 520 square feet of forested wetland (including 50 linear feet of impact to an intermittent stream) to install a 30-inch by 12-foot culvert for construction of a roadway for access to a 21-lot subdivision of approximately 53.9 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Bedford Design Consultants, Inc. ,as received by the Department on September 7,2004:
 - a.) The Overview Plan (Sheet OV1) ,dated March 5, 2004;
 - b.) The Plan and Profile plan (Sheet P1 of P2), dated December 26, 2003 with revisions through July 30, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional

forested wetland.

2. A memo from NH Fish and Game Dept. dated June 9, 2004, indicated that the project location has two (2) species of concern, Brook Floaters (*Alasmodonta varicosa*) and Blanding's turtle (*Emydoidea blandingii*). On August 31, 2004, NH Fish and Game Dept sent another letter after visiting the site (August 30, 2004) stating that the project does not pose a threat to brook floater. In addition, after review of the plans by DES, wetlands disturbance will be minimal thereby not affecting the Blanding's turtle.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01963 MARTIN, MURIEL
SPRINGFIELD Unnamed Stream

Requested Action:

Temporarily impact 224 square feet of bank on an unnamed stream for the installation of a dry hydrant for fire protection.

Conservation Commission/Staff Comments:

The Springfield Conservation Commission signed the Minimum Expedited Application.

APPROVE PERMIT:

Temporarily impact 224 square feet of bank on an unnamed stream for the installation of a dry hydrant for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Karl Berardi dated December 30, 2003, as received by the Department on August 20, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done in low water conditions.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
7. Machinery shall be staged and refueled in upland areas.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
10. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, or set back as far as possible from wetlands and surface waters --in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. All construction-related debris and dredged material not used to backfill the dry hydrant pipe trench shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. Any portion of the bank disturbed as part of installation of the dry hydrant pipe shall be regraded to original contours, seeded and stabilized immediately following completion of work.
13. The dry hydrant pipe, intake structure and support platform shall be installed so as not to pose a navigational hazard.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02127 DEAL BUILDING & CONSTRUCTION LLS
NEWTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,278 square feet of wet meadow for the construction of a roadway into a 6-lot subdivision on approximately 19.89 acres.

Conservation Commission/Staff Comments:

The Hampstead Conservation Commission signed the Minimum

APPROVE PERMIT:

Dredge and fill approximately 2,278 square feet of wet meadow for the construction of a roadway into a 6-lot subdivision on approximately 19.89 acres.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates dated June 30, 2004 with revisions through October 13, 2004, as received by the Department on October 13, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES strongly recommends that the proposed roadway remain in the original location. Relocating the roadway easterly or westerly will increase jurisdictional wetland impacts.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

-Send to Governor and Executive Council-

2004-02172 GEORGE, DAVID
SALEM Captains Pond

Requested Action:

Install a 4 ft x 24 ft seasonal dock on an average of 53 ft of frontage on Captain's Pond, Salem.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on an average of 53 ft of frontage on Captain's Pond, Salem.

With Conditions:

1. All work shall be in accordance with plans by David M. George, as received by the Department on September 9, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), installation of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02186 PAQUET, MICHAEL
NORTHWOOD Northwood Lake

Requested Action:

Replace 46 linear feet of cinder block retaining wall with concrete retaining wall on 54 feet of frontage on Northwood Lake in Northwood.

APPROVE PERMIT:

Replace 46 linear feet of cinder block retaining wall with concrete retaining wall on 54 feet of frontage on Northwood Lake in Northwood.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on September 13, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair/replacement shall maintain existing size, height, location and configuration.
7. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

This project is classified as a minimum impact project as per Rule Wt 303.04(c) repair retaining wall in the dry.

2004-02279 JOYCE PURINTON PROWSE REVOC TRUST
LACONIA Lake Winnisquam

Requested Action:

Repair 63 linear ft of mortared stone shoreline in-kind, replace existing concrete steps with granite steps, repair an existing 19 ft 6 in x 9 ft dock in-kind, and replenish an existing perched beach with 10 cu yds of sand on an average of 105 ft of frontage on Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair 63 linear ft of mortared stone shoreline in-kind, replace existing concrete steps with granite steps, repair an existing 19 ft 6 in x 9 ft dock in-kind, and replenish an existing perched beach with 10 cu yds of sand on an average of 105 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by John J. Prowse dated August 31, 2004, as received by the Department on September 27, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall

remain until the area is stabilized.

4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

5. Repair shall maintain existing size, location and configuration.

6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

9. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

TRAILS NOTIFICATION

2004-02405 BAYROOT LLC, MOXIE TREE FARM
MILLSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Millsfield Tax Map 1623, Lot# 14

LAKES-SEASONAL DOCK NOTIF

2004-02440 FOLSOM, ALLEN & CYNTHIA
SANBORNTON Hermit Lake

COMPLETE NOTIFICATION:
Sanbornton Tax Map 8, Lot# 7 Hermit Lake

2004-02451 LYONS, DANIEL
PITTSBURG First Connecticut Lake

COMPLETE NOTIFICATION:
Pittsburg Tax Map C6, Lot# 377 1st Conn Lake

2004-02452 BRAYSHAW, RICHARD
DANVILLE Long Pond

COMPLETE NOTIFICATION:

Danville Tax Map 16, Lot# 4-77 Long Pond

SHORELAND VARIANCE / WAIV

2004-00961 WILLIAMS, JAY & JENNIFER MCCANN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Improvement of an existing non-conforming residential structure within the primary building setback. Expand the footprint and the outside dimensions of the non-conforming residence.

APPROVE PERMIT:

Improvement of an existing non-conforming residential structure within the primary building setback. Expand the footprint and the outside dimensions of the non-conforming residence.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on September 16, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds. A restrictive covenant shall also be placed on the deed using the verbage on the plan received by the department on September 16, 2004, binding future owners to maintain the vegetative buffer. A copy of the recorded approval and covenant shall be submitted to the DES Wetlands Bureau prior to construction.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. Before the proposed construction begins on the non-conforming residence, the applicant shall 5. upgrade the existing septic system.
6. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
8. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
9. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Lake Winnepesaukee and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to replace an existing septic system with an updated septic system and place a restrictive covenant on

the deed to prevent future cutting of trees within 50 feet of the reference line and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2004-02074 EPSTEIN 1999 TRUST, AUDREY
MADISON Silver Lake

Requested Action:

Improvement of an existing non-conforming residential structure within the primary building setback. Expand the footprint of the non-conforming residence from 1,481 sq ft to 1,723 sq ft, expand the outside dimensions of the structure to add a second story, increasing the ridgeline height from 13 ft 6 in to 26 ft 8 in, and construct a 309 sq ft attached deck.

APPROVE CSPA WAIVER:

Improvement of an existing non-conforming residential structure within the primary building setback. Expand the footprint of the non-conforming residence from 1,481 sq ft to 1,723 sq ft, expand the outside dimensions of the structure to add a second story, increasing the ridgeline height from 13 ft 6 in to 26 ft 8 in, and construct a 309 sq ft attached deck.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on September 2, 2004, September 17, 2004, and October 5, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds. A restrictive covenant shall be placed on the deed prohibiting current and future owners from constructing attached decks or open porches within 20 feet from the reference line. A copy of the recorded waiver and covenant shall be sent to the department before work begins.
3. This waiver is contingent upon receiving a septic approval from the DES Subsurface Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The shed shall be removed before construction begins on the existing house.
6. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
7. Existing water bars along the driveway shall be maintained so as to remain functional.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Silver Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to install a new septic system, remove a nonconforming 110 sq ft shed, maintain water bars in the driveway, place drip stone below the eaves of the residence to control roof runoff, and put a restrictive covenant on the deed prohibiting any future deck construction within 20 ft of the reference line, therefore meeting the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

**2004-02150 MORIN, STEPHEN
KINGSTON Powwow Pond**

Requested Action:

Replace an existing septic holding tank with a new improved septic system.

APPROVE CSPA VARIANCE:

Replace an existing septic holding tank with a new improved septic system.

With Conditions:

1. All work shall be conducted in accordance with plans by J. D. Duval of Civil Construction Management, Inc. dated 6-23-04 and received by the department on September 8, 2004.
2. This variance shall not be effective until it has been recorded at the appropriate county registry of deeds office by the Permittee. A copy of the registered approval shall be submitted to the DES Wetlands Bureau prior to construction.
3. A copy of this variance shall be posted in a prominent location on site during construction, visible to inspecting personnel.
4. This variance does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
5. This variance is contingent upon approval of the septic system by the DES Subsurface Bureau.
6. This variance does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
7. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The septic system is proposed to be installed within the septic setback to Powwow Pond in Kingston and therefore fails to conform to a minimum standard set forth in RSA 483-B:9, V of the Comprehensive Shoreland Protection Act.
2. In accordance with RSA 483-B:9, V(g), "the commissioner shall have the authority to grant variances from the minimum standards of this section. Such authority shall be exercised subject to the criteria which govern the grant of a variance by a zoning board of adjustment under RSA 674:33, I(b)."
3. A special condition of the land coupled with the septic setback would prohibit the property owner from replacing the existing septic holding tank with a new improved septic system.
4. The installation of a new improved septic system will better protect the public waterbody and therefore be consistent with the intents of the statute.
5. The proposed project will not injure the public or private rights of others.
6. Granting the variance will be consistent with the public interest as the existing septic system is outdated and a potential health hazard.
7. Granting the variance will do substantial justice by allowing the property owner to maintain and enjoy a significant property right while upholding the spirit of the CSPA and preserving the private rights and interests of the public.

ROADWAY MAINTENANCE NOTIF

**2004-02431 NH DEPT OF TRANSPORTATION
WEARE Unnamed Wetland**

**2004-02454 NH DEPT OF TRANSPORTATION
LANGDON Unnamed Wetland**

PERMIT BY NOTIFICATION

2004-02261 BARRETT, ALLEN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair to an existing 8'x26' crib on Lake Winnepesaukee with approximately 157 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Moultonborough Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In-kind repair to an existing 8'x26' crib on Lake Winnepesaukee with approximately 157 feet of shoreline frontage.

2004-02357 MOSES, JERRY
WOLFEBORO Winnepesaukee

Requested Action:

PBN#12, In-kind repair to existing rock retaining wall on Lake Winnepesaukee with approximately 99 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#12, In-kind repair to existing rock retaining wall on Lake Winnepesaukee with approximately 99 feet of shoreline frontage.

2004-02422 DEPROFIO, WILLIAM
MIDDLETON Sunrise Lake

Requested Action:

PBN#12, In-kind replacement of two (2) 48-foot retaining walls on Sunrise Lake with approximately 90 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Middleton Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#12, In-kind replacement of two (2) 48-foot retaining walls on Sunrise Lake with approximately 90 feet of shoreline frontage.

2004-02447 BOSCAWEN, TOWN OF
BOSCAWEN Tributary To Contoocook River

Requested Action:

PBN#5, Installation of a temporary cofferdam for PBN#4, In-kind replacement of a failed 24-inch culvert beneath Eel Street for safe public passage.

Conservation Commission/Staff Comments:

The Boscawen Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#5, Installation of a temporary cofferdam for PBN#4, In-kind replacement of a failed 24-inch culvert beneath Eel Street for safe public passage.

2004-02448 IRWIN, JUDITH
ENFIELD Unnamed Wetland

Requested Action:

PBN#5, In-kind replacement of a 15-inch failed culvert for access to single family residential lot.

Conservation Commission/Staff Comments:

The Enfield Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#5, In-kind replacement of a 15-inch failed culvert for access to single family residential lot.

2004-02449 HENNIG, ROBERT & LIZABETH
NEWPORT Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,660 square feet of forested wetland (including 40 linear feet of impact to an intermittent stream) to install a 48-inch by 40-foot culvert for access to a single family residential lot on approximately 12.18 acres.

Conservation Commission/Staff Comments:

The Newport Conservation Commission signed the PBN.

PBN IS COMPLETE:

Dredge and fill approximately 2,660 square feet of forested wetland (including 40 linear feet of impact to an intermittent stream) to install a 48-inch by 40-foot culvert for access to a single family residential lot on approximately 12.18 acres.

HEARINGS

2004-00769 METHUEN CONST. NOM TRUDT, L. ROBERT DESCANTIS
SALEM Unnamed Wetland

PRIME WETLANDS HEARING: 10/12/2004 10:00:00 AM

Fill approximately 373 square feet within two isolated forested wetlands to construct additional parking, adjacent to Salem Prime

Wetland #17, for an existing commercial development.

2004-02398

LONG SHORES LOT OWNERS ASSN, JACK ANDERSON

BARRINGTON Prime Wetlands

PRIME WETLANDS HEARING: 11/05/2004 09:00:00 AM

In-kind replacement of an existing culvert beneath Longshore Dr., adjacent to Barrington Prime Wetland #43, for safe vehicle passage.